

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

**PURDUE PHARMA L.P., *et al.*,

Debtors.¹**

Chapter 11

Case No. 19-23649 (RDD)

(Jointly Administered)

**SIXTH SUPPLEMENTAL DECLARATION OF ANTHONY W. CLARK IN SUPPORT
OF APPLICATION OF DEBTORS FOR AUTHORITY TO RETAIN AND EMPLOY
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP AS SPECIAL
COUNSEL TO THE DEBTORS *NUNC PRO TUNC* TO THE PETITION DATE**

I, Anthony W. Clark, declare:

1. I am a partner in the law firm of Skadden, Arps, Slate, Meagher & Flom LLP (together with its affiliates, “Skadden” or the “Firm”), special counsel to the above-captioned debtors (the “Debtors”) in the above-captioned bankruptcy cases, which maintains an office for the practice of law at, among other places, 920 N. King Street, Wilmington, Delaware 19801.

2. I am a practicing member in good standing of the bars of the State of Delaware and the Commonwealth of Pennsylvania.

3. I submit this declaration (this “Sixth Supplemental Declaration”) to supplement the disclosures in the declarations of Patrick Fitzgerald dated November 5, 2019

¹ The Debtors in these cases, along with the last four digits of each Debtor’s registration number in the applicable jurisdiction, are as follows: Purdue Pharma L.P. (7484), Purdue Pharma Inc. (7486), Purdue Transdermal Technologies L.P. (1868), Purdue Pharma Manufacturing L.P. (3821), Purdue Pharmaceuticals L.P. (0034), Imbrium Therapeutics L.P. (8810), Adlon Therapeutics L.P. (6745), Greenfield BioVentures L.P. (6150), Seven Seas Hill Corp. (4591), Ophir Green Corp. (4594), Purdue Pharma of Puerto Rico (3925), Avrio Health L.P. (4140), Purdue Pharmaceutical Products L.P. (3902), Purdue Neuroscience Company (4712), Nayatt Cove Lifescience Inc. (7805), Button Land L.P. (7502), Rhodes Associates L.P., Paul Land Inc. (7425), Quidnick Land L.P. (7584), Rhodes Pharmaceuticals L.P. (6166), Rhodes Technologies (7143), UDF L.P. (0495), SVC Pharma L.P. (5717) and SVC Pharma Inc. (4014). The Debtors’ corporate headquarters is located at One Stamford Forum, 201 Tresser Boulevard, Stamford, CT 06901.

[Docket No. 438] (the “Initial Declaration”), March 16, 2020 [Docket No. 936] (the “First Supplemental Declaration”), May 26, 2020 [Docket No. 1183] (the “Second Supplemental Declaration”), and July 10, 2020 [Docket No. 1370] (the “Third Supplemental Declaration”), and my declarations dated June 15, 2021 [Docket No. 3031] (the “Fourth Supplemental Declaration”) and September 21, 2021 [Docket No. 3797] (the “Fifth Supplemental Declaration,” and together with the Initial Declaration, the First Supplemental Declaration, the Second Supplemental Declaration, the Third Supplemental Declaration, and the Fourth Supplemental Declaration, the “Prior Declarations”) in support of the Debtors’ Application for Order Under 11 U.S.C. § 327(e) Authorizing Employment of Skadden, Arps, Slate, Meagher & Flom LLP and Affiliates as Special Counsel *Nunc Pro Tunc* to the Petition Date [Docket No. 438] and the Debtors’ Application for Authority to Supplement the Retention and Employment of Skadden, Arps, Slate, Meagher & Flom LLP as Special Counsel *Nunc Pro Tunc* to March 6, 2020 [Docket No. 1370] (together, the “Application”).² In the Prior Declarations, Skadden previously disclosed its current or past representations in matters of parties or potential parties in these Chapter 11 Cases, or their affiliates.

4. The facts set forth below are based either upon my personal knowledge, discussions with other partners, counsel and associates of Skadden, and client/matter records of Skadden reviewed by myself or by associates of Skadden acting under the supervision and direction of Skadden partners working with me on this task, and if called as a witness I would testify competently thereto.

5. Since the filing of the Prior Declarations, Skadden has engaged in further monitoring of its partners, counsel, and associates with respect to the matters contained in the

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Application.

Prior Declarations, and has continued to conduct further periodic checks with respect to known and newly-identified persons and parties in interest in these Chapter 11 Cases. In preparing this Sixth Supplemental Declaration, Skadden conducted additional searches for new parties in interest that have been identified since the Prior Declarations, as of October 12, 2021, which parties are reflected in **Exhibit 1**.

6. As a result of Skadden's ongoing review of these matters, Skadden discloses that, in addition to the entities or individuals previously disclosed in the Prior Declarations, Skadden currently represents the entities presented in bold italics on **Exhibit 1** or their affiliates, and has in the past represented the entities presented in italics on **Exhibit 1** or their affiliates. Such representations are not, have not been, and will not be adverse to the Debtors with respect to the matters on which Skadden is to be employed. In addition, Skadden makes the following additional specific disclosures.

7. Skadden disclosed in its Prior Declarations that it currently represents Cardinal Health, Inc. ("Cardinal Health") on matters unrelated to the Debtors, and that such representation has not been, is not, and will not be adverse to the Debtors with respect to the matters for which Skadden was retained by the Debtors. Cardinal Health and certain wholly owned or controlled affiliates have been, or in the future may be, named as defendants, including as co-defendants with the Debtors, in various lawsuits related to the opioid product litigation. Out of an abundance of caution, Skadden is providing the following clarification with respect to one aspect of its representation of Cardinal Health. On or about May 10, 2021, Skadden's ongoing representation of Cardinal Health was expanded to encompass advice with respect to Securities and Exchange Commission ("SEC") reporting and compliance (the "Cardinal Reporting Advice"). Skadden professionals do not advise Cardinal Health with respect to

strategy or substance regarding the underlying opioid product litigation, but generally with respect to corporate disclosures, including regarding Cardinal Health's opioid-related exposures. Skadden does not believe that the Cardinal Reporting Advice encompasses any adversity as to the Debtors with respect to the Services provided by Skadden to the Debtors, and, in any event, Skadden attorneys will not advise Cardinal Health in matters adverse to Purdue.

8. I do not believe that Skadden's engagement on behalf of Cardinal Health precludes Skadden from meeting the requirement of Bankruptcy Code section 327(e) that Skadden "does not represent or hold any interest adverse to the debtor or to the estate with respect to the matter[s] on which [Skadden] is to be employed."

9. **Prior Representation of Skadden Attorney.** In addition, prior to joining Skadden, a staff attorney who joined Skadden's Washington, D.C. office in November 2021 and practicing in the litigation group was employed at Bradley Arant Boult Cummings LLP ("**Bradley Arant**"), where the staff attorney engaged in document review for CVS Health Corporation in various opioid-related matters. Skadden sought and obtained a waiver from CVS Health Corporation prior to hiring this staff attorney that waives any actual or potential conflict of interest, breach of duty or related claim on the part of Skadden or the staff attorney arising from the staff attorney's employment at Bradely Arant and her work for CVS Health Corporation. This staff attorney has not had and will not have any involvement in the Chapter 11 Cases. Skadden has established formal screening procedures or an "Ethical Wall" with respect to this attorney to ensure that the attorney does not exchange any information protected as confidential with respect to either their prior representation or any of the Debtors.

10. Skadden will continue to conduct due diligence and will file additional supplemental declarations to the extent necessary.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct, to the best of my knowledge, information, and belief, and after reasonable inquiry.

Dated: Wilmington, Delaware
November 9, 2021

SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP

/s/ Anthony W. Clark
Anthony W. Clark
920 N. King Street
Wilmington, Delaware 19801
Telephone: (302) 651-3080
Fax: (302) 434-3080

Special Counsel to Debtors and Debtors-in-Possession

EXHIBIT 1

Additional Parties-In-Interest

EXHIBIT 1

Italicized entries are former clients or their affiliates from unrelated matters.

List of Potential Parties in Interest

Bold italicized entries are current clients or their affiliates from unrelated matters.

Category	<i>Party in Interest</i>
Vendors	ACCESS POINTE MANAGED MARKETS LLC
Vendors	ACG NORTH AMERICA LLC
Vendors	AETNA LIFE INSURANCE CO
Vendors	CARAWAY TEA COMPANY LLC
<i>Vendors</i>	<i>CHARLES SCHWAB</i>
Vendors	CHEMO IBERICA S.A.
Vendors	CHILD RELATED RESEARCH INC
Vendors	CITY ELECTRIC SUPPLY CO
Vendors	CLEAN EARTH ENVIRONMENTAL SOLUTIONS
Vendors	CLIANTHA RESEARCH LIMITED
Vendors	EMPIRE DISCOVERY LLC
<i>Vendors</i>	<i>FEDERAL TRADE COMMISSION</i>
Vendors	FLORIDA INTL UNIV BOARD OF TRUSTEES
<i>Vendors</i>	<i>GRANT THORNTON LLP</i>
Vendors	HANDA PHARMACEUTICALS LLC
Vendors	HIGH WATCH RECOVERY CENTER
<i>Vendors</i>	<i>KORN FERRY HAY GROUP INC</i>
Vendors	MEDEDNOW LLC
Vendors	MOURANT OZANNES (JERSEY) LLP
Vendors	NEPC LLC
Vendors	NEXTCHAPTER LLC
Vendors	OPEN TEXT INC
Vendors	PARX SOLUTIONS INC
Vendors	PI TRUST
Vendors	PINNACLE INNOVATION INC
Vendors	PLANFUL INC
Vendors	POTOMAC LAW GROUP PLLC
Vendors	PPD GLOBAL CENTRAL LABS LLC
Vendors	PREMIER LANDSCAPING
Vendors	PURISYS LLC
Vendors	RIPARIAN LLC
Vendors	SAS INSTITUTE INC
Vendors	SONORAN PREVENTION WORKS
Vendors	SQUIRE PATTON BOGGS US LLP
Vendors	TGAS ADVISORS LLC
Vendors	THOMAS PACKAGING LLC
Vendors	TOWARD ZERO CO
Vendors	WAYNE STATE UNIVERSITY
Vendors	ZHEJIANG POLY PHARM CO LTD